

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 196**

Citations Affected: IC 10-13-3-38.5; IC 25-9-1.

Synopsis: Licensing and permits for boxing. Conference committee report for ESB 196. Defines promoter and matchmaker for purposes of the law requiring licensure before a promoter or matchmaker may participate in a boxing or sparring match. Requires the state boxing commission to obtain information, including fingerprints, necessary to facilitate access to the criminal history information of an applicant for a promoter's license or permit. Requires the state police department to: (1) provide assistance in obtaining an applicant's criminal history information; and (2) forward fingerprints submitted by an applicant to the Federal Bureau of Investigation for the release of the applicant's criminal history information. Repeals the prohibition against issuing an annual boxing promoter's license or permit to nonresidents. **(This conference committee report: (1) defines promoter; (2) requires the commission to obtain information, including fingerprints, necessary to facilitate access to criminal history information of an applicant for a promoter's license or permit; and (3) requires the state police department to provide assistance in obtaining an applicant's criminal history information and to forward an applicant's fingerprints to the Federal Bureau of Investigation for the release of the applicant's criminal history information.)**

Effective: July 1, 2005.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 196 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 10-13-3-38.5, AS AMENDED BY HEA 1288-2005,
- 3 SECTION 119, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: Sec. 38.5. (a) Under federal P.L.92-544
- 5 (86 Stat. 1115), the department may use an individual's fingerprints
- 6 submitted by the individual for the following purposes:
- 7 (1) Determining the individual's suitability for employment with
- 8 the state, or as an employee of a contractor of the state, in a
- 9 position:
- 10 (A) that has a job description that includes contact with, care of,
- 11 or supervision over a person less than eighteen (18) years of age;
- 12 (B) that has a job description that includes contact with, care of,
- 13 or supervision over an endangered adult (as defined in
- 14 IC 12-10-3-2), except the individual is not required to meet the
- 15 standard for harmed or threatened with harm set forth in
- 16 IC 12-10-3-2(a)(3);
- 17 (C) at a state institution managed by the office of the secretary of
- 18 family and social services or state department of health;
- 19 (D) at the Indiana School for the Deaf established by
- 20 IC 20-22-2-1;
- 21 (E) at the Indiana School for the Blind established by
- 22 IC 20-21-2-1;
- 23 (F) at a juvenile detention facility;

- (G) with the gaming commission under IC 4-33-3-16;
- (H) with the department of financial institutions under IC 28-11-2-3; or
- (I) that has a job description that includes access to or supervision over state financial or personnel data, including state warrants, banking codes, or payroll information pertaining to state employees.

(2) Identification in a request related to an application for a teacher's license submitted to the professional standards board established under IC 20-28-2-1.

(3) Use by the state boxing commission established under IC 25-9-1-1 for licensure of a promoter (as defined in IC 25-9-1-0.7) under IC 25-9-1.

An applicant shall submit the fingerprints in an appropriate format or on forms provided for the employment or license application. The department shall charge each applicant the fee established under section 28 of this chapter and by federal authorities to defray the costs associated with a search for and classification of the applicant's fingerprints. The department may forward fingerprints submitted by an applicant to the Federal Bureau of Investigation or any other agency for processing. The state personnel department or the agency to which the applicant is applying for employment or a license may receive the results of all fingerprint investigations.

(b) An applicant who is an employee of the state may not be charged under subsection (a).

(c) Subsection (a)(1) does not apply to an employee of a contractor of the state if the contract involves the construction or repair of a capital project or other public works project of the state.

SECTION 2. IC 25-9-1-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 0.5. As used in this chapter, "matchmaker" means a person who, under contract, agreement, or other arrangement with a boxer, acts as a booker, an agent, a booking agent, or a representative to secure:**

- (1) an engagement; or**
- (2) a contract;**

for the boxer.

SECTION 3. IC 25-9-1-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 0.7. As used in this chapter, "promoter" has the meaning set forth in 15 U.S.C. 6301(9).**

SECTION 4. IC 25-9-1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 7. (a) Applications for licenses or permits to conduct or participate in, either directly or indirectly, a boxing or sparring match, semiprofessional elimination contest, or exhibition shall be:**

- (1) made in writing upon forms prescribed by the state boxing commission and shall be addressed to and filed with the Indiana professional licensing agency; and
- (2) verified by the applicant, if an individual, or by some officer of the club, corporation, or association in whose behalf the application

1 is made.

2 (b) The application for a permit to conduct a particular boxing or
3 sparring match, semiprofessional elimination contest, or exhibition,
4 shall, among other things, state:

5 (1) the time and exact place at which the boxing or sparring match,
6 semiprofessional elimination contest, or exhibition is proposed to
7 be held;

8 (2) the names of the contestants who will participate and their
9 seconds;

10 (3) the seating capacity of the buildings or the hall in which such
11 exhibition is proposed to be held;

12 (4) the admission charge which is proposed to be made;

13 (5) the amount of the compensation percentage of gate receipts
14 which is proposed to be paid to each of the participants;

15 (6) the name and address of the person making the application;

16 (7) the names and addresses of all the officers if the person is a
17 club, a corporation, or an association; and

18 (8) the record of each contestant from a source approved by the
19 commission.

20 (c) The commission shall cause to be kept by the licensing agency
21 proper records of the names and addresses of all persons receiving
22 permits and licenses.

23 SECTION 5. IC 25-9-1-7.5 IS ADDED TO THE INDIANA CODE
24 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2005]: **Sec. 7.5. (a) As used in this section, "applicant"**
26 **means a person applying for a promoter's license or permit.**

27 **(b) The commission shall require an applicant to provide:**

28 **(1) information, including fingerprints, that is needed to**
29 **facilitate access to criminal history information; and**

30 **(2) financial information, to the extent allowed by law.**

31 **(c) The state police department shall:**

32 **(1) provide assistance in obtaining criminal history information**
33 **of an applicant; and**

34 **(2) forward fingerprints submitted by an applicant to the**
35 **Federal Bureau of Investigation for the release of an**
36 **applicant's criminal history information for the purposes of**
37 **licensure under this chapter.**

38 **(d) The applicant shall pay any fees associated with the release of**
39 **the criminal history information of the applicant.**

40 SECTION 6. IC 25-9-1-8 IS REPEALED [EFFECTIVE JULY 1,
41 2005].

(Reference is to ESB 196 as printed March 25, 2005.)

Conference Committee Report
on
Engrossed Senate Bill 196

Signed by:

Senator Wyss
Chairperson

Representative Alderman

Senator Rogers

Representative Crooks

Senate Conferees

House Conferees